

[OPTS-42092; FRL-3134-9]

**Testing Consent Agreement
Development for Alkyl Phthalates;
Solicitation for Interested Parties****AGENCY:** Environmental Protection
Agency (EPA).**ACTION:** Notice.

SUMMARY: EPA's procedures for requiring the testing of chemical substances and mixtures under section 4 of the Toxic Substances Control Act (TSCA) include the adoption of enforceable consent agreements (ECAs) and the promulgation of test rules. ECAs may be adopted where consensus on an industry test program is reached in a timely manner by EPA, affected manufacturers and/or processors, and other interested parties. If timely consensus cannot be reached or appears unlikely, and the Agency makes certain statutory findings under TSCA, EPA issues test rules. In this notice, EPA announces its tentative evaluation of environmental effects and chemical fate testing needs for the alkyl phthalates chemical category, announces a public meeting to discuss such testing, and requests all persons desiring to have the status of "interested parties" in any negotiations of an ECA for the alkyl phthalates to notify EPA of that interest.

DATES: Submit written notice of interest to be designated an interested party on or before January 21, 1987. A public meeting will be held on January 7, 1987.

ADDRESS: Submit written request to be an "interested party" in triplicate, identified by the document control number (OTPS-42-92) to:

TSCA Public Information Office (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. NE-G004, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Edward A. Klein, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Rm. E-543, 401 M St., SW., Washington, DC 20460, (202) 554-1404.

Persons interested in attending the public meeting should notify EPA by telephone on or before January 6, 1987.

SUPPLEMENTARY INFORMATION: EPA has issued amendments to the procedural regulation in 40 CFR Part 790 (51 FR 23706; June 30, 1986), which govern the development and implementation of testing requirements under section 4 of TSCA. These amendments establish procedures for using ECAs to develop testing requirements under section 4 of the Act. This notice serves three purposes under those procedures. First, it requests "interested parties" who

wish to participate in testing negotiations for the alkyl phthalates to identify themselves to EPA. Second, it announces a public meeting to initiate testing negotiations for this chemical. Third, it proposes a target schedule for implementation of the consent agreement process.

I. Identification of Interested Parties

Under 40 CFR 790.22, the testing negotiation procedures are initiated by the publication of a *Federal Register* notice which invites persons interested in participating in or monitoring negotiations for the development of an ECA to notify the Agency in writing. Those individuals and groups who respond to EPA's notice by the deadline established in the notice will have the status of "interested parties" and will be afforded opportunities to participate in the negotiations process. These "interested parties" will not incur any obligations by being designated "interested parties." The procedures for these negotiations are described in 40 CFR 790.22. Individuals and groups desiring to have the status of "interested parties" in the development of the ECA for the alkyl phthalates should submit a written request to the Agency at the address given above on or before January 7, 1987.

II. Public Meeting

A public meeting will be held on January 7, 1987, in Rm. 103, Northeast Mall, EPA Headquarters, 401 M St., SW., Washington, DC 20460, to announce EPA's preliminary testing determination for environmental effects and chemical fate testing of the alkyl phthalates and to initiate testing negotiations. Persons interested in attending this meeting should notify the EPA TSCA Assistance Office by telephone at the number listed above on or before January 6, 1987.

III. Timetable for Negotiating Test Agreement

In accordance with the procedures for the development of ECAs established in 40 CFR 790.22, and the Agency's plans to propose a test rule for the alkyl phthalates by late 1987 (if an ECA cannot be developed in that time), the following target schedule is established for the alkyl phthalates:

January 7, 1987—Public meeting to initiate testing negotiations. Also, deadline for notice of interested party designations.

April 9, 1987—Decision by EPA on whether to use consent order or test rule.

May 14, 1987—Draft consent order sent to interested parties (if EPA decides to use consent order).

September 14, 1987 Issuance of consent order.

Authority: 15 U.S.C. 2603.

Dated: December 19, 1986.

Joseph J. Merenda,

Director, Existing Chemical Assessments
Division.

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